

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1048
93RD GENERAL ASSEMBLY

Reported from the Committee on Transportation April 12, 2006 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1048 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

5059L.03C

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to refund of motor vehicle registration fees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 301.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.140, to read as follows:

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
15 seating capacity, not in excess of that originally registered. When such motor vehicle is of
16 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
17 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
18 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
19 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
20 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

21 3. License plates may be transferred from a motor vehicle which will no longer be
22 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
23 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
24 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
25 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
26 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
27 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
28 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
29 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
30 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
31 entitled to a refund.

32 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
33 application for registration, by mail or otherwise, may operate the same for a period of thirty days
34 after taking possession thereof, if during such period the motor vehicle or trailer shall have
35 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.
36 Upon application and presentation of satisfactory evidence that the buyer has applied for
37 registration, a dealer may furnish such number plates to the buyer for such temporary use. In
38 such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to
39 be returned to the buyer upon return of the number plates as a guarantee that said buyer will
40 return to the dealer such number plates within thirty days. The director shall issue a temporary
41 permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not
42 more than thirty days of the date of purchase.

43 5. The temporary permit or paper plate shall be made available by the director of revenue
44 and may be purchased from the department of revenue upon proof of purchase of a motor vehicle
45 or trailer for which the buyer has no registration plate available for transfer, or from a dealer
46 upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available
47 for transfer. The director shall make temporary plates or permits available to registered dealers
48 in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be
49 seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than

50 seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a
51 period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of
52 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate
53 as set out above.

54 6. The permit or plate shall be issued on a form prescribed by the director and issued
55 only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable
56 the applicant to legally operate the vehicle while proper title and registration plate are being
57 obtained, and shall be displayed on no other vehicle. Permits or paper plates issued pursuant to
58 this section shall not be transferable or renewable and shall not be valid upon issuance of proper
59 registration plates for the motor vehicle or trailer. The director shall determine the size and
60 numbering configuration, construction, and color of the permit and plate.

61 7. The dealer or authorized agent shall insert the date of issuance and expiration date,
62 year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to
63 the buyer. The dealer shall also insert such dealer's number on the paper plate. Every dealer that
64 issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct
65 record of each permit or plate issued by recording the permit or plate number, buyer's name and
66 address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used,
67 and the date of issuance.

68 8. Upon the transfer of ownership of any currently registered motor vehicle wherein the
69 owner cannot transfer the license plates due to a change of vehicle category, the owner may
70 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
71 of the original registration fee against the registration fee of another motor vehicle. Such credit
72 shall be granted based upon the date the license plates are surrendered. [No refunds shall be
73 made on the unused portion of any license plates surrendered for such credit.] **If a motor vehicle**
74 **is sold and is not being replaced, then any unused portion of the original registration fee,**
75 **provided such unused portion is three months or greater, may be refunded upon surrender**
76 **of the license plates. Such refund shall be granted based upon the date the license plates**
77 **are surrendered.**

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